

**SEASREP Panel – ICAS 20 July 2017, Chiang Mai Thailand*****Theme: Emerging and Continuing Trends in Southeast Asian Studies*****THINK PIECE****“Trends in Environmental Studies in Southeast Asia: Transboundary Haze”****By Helena Varkkey, University of Malaya**

Environmental politics is part of an emerging and exciting field of study in Southeast Asia. The literature on politics and governance in Southeast Asia and ASEAN has for many years been overwhelmingly dominated by ‘hard’ issues of security and economics, and not so much by ‘soft’ issues like the environment. This is unsurprising considering that ASEAN was founded primarily to accelerate economic growth and political security in the region<sup>1</sup>. However of course, hand in hand with the increased rates of environmental deterioration and pollution in various Southeast Asian countries over the years, the academic attention to issues of the environment in the region has slowly increased as well.

Before the serious episodes of haze in the late 1990s, water management in the Mekong dominated what little environmental conversations that were happening among scholars of the region. However, the environmental ‘disaster’ that was the haze grabbed local, regional and even global attention and this has translated to an increased interest in ASEAN scholars to think and write about this issue. Haze is defined by the ASEAN Secretariat as “sufficient smoke, dust, moisture, and vapour suspended in the air to impair visibility”. In Southeast Asia, most of this haze originates from land and forest fires in Indonesia and to a lesser extent Malaysia. These fires can either occur naturally or are intentionally lit to quickly and cheaply clear land for small scale or commercial agriculture like pulp and paper and palm oil. Haze becomes transboundary when “its density and extent is so great at the source that it remains at measurable levels after crossing into another country’s airspace”<sup>2</sup>.

**Haze as a Regional Environmental Issue**

Southeast Asia has been experiencing more frequent and severe episodes of transboundary haze since the 1980s. The regional reach of the haze is clear: especially bad episodes can affect the health of some 75 million people and the economies of six up to Southeast Asian nations. Generally the countries of Indonesia, Malaysia and Singapore, among the largest economies of

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<sup>1</sup> ASEAN SECRETARIAT 2009. Overview. In: SECRETARIAT, A. (ed.).

<sup>2</sup> ASEAN SECRETARIAT. 2008. *Information on Fire and Haze* [Online]. Jakarta: ASEAN Secretariat. Available: <http://haze.asean.org/about-us/information-on-fire-and-haze/> [Accessed 1 August 2009].

the region, suffer the brunt of haze almost every year<sup>3</sup>. As one commentator once said in a recent transboundary haze forum, “the haze is a blessing in disguise”. What the commentator meant was that the regional reach of the haze has brought to light local problems that the broader region’s academicians and policymakers would have been otherwise unaware of. This is clearly evident in the studies and literature that have emerged post-haze crises: focusing for instance on issues of decentralization and land grabbing, local community livelihoods, and networks of power in the agricultural hinterlands, all localised issues that contribute to the regional haze.

The ASEAN member states began to acknowledge haze as a regional concern in 1985, with the adoption of the Agreement on Conservation of Nature and Natural Resources. The member states first began collective activity to mitigate haze in 1992, with the Workshop on Transboundary Pollution and Haze in ASEAN Countries.<sup>4</sup> Other activities and agreements followed, the most significant of which was the legally-binding ASEAN Agreement on Transboundary Haze Pollution (ATHP) which was brought into force in 2003.<sup>5</sup> The ATHP’s stated objective was to “prevent and monitor transboundary haze pollution as a result of land and/or forest fires which should be mitigated, through concerted national efforts and intensified regional and international cooperation”.<sup>6</sup>

From the very beginning, it was already clear that the politics and governance of the haze at the ASEAN level would be bucking several major regional trends. Firstly, regional cooperation over the haze was lauded as the earliest example of ASEAN cooperation over a transboundary environmental issue.<sup>7</sup> This was especially significant due to the prevalent developmental trends of the region which relied on natural resource exploitation for economic growth. Indeed, at the ASEAN level, the protection of the environment and any attempts to block access to natural resources were normally seen as something that would threaten economic growth, development and social cohesion of most of the member states.<sup>8</sup>

Secondly, the ATHP was ASEAN’s first ever legally binding environmental document. ASEAN agreements are general not legally-binding, in accordance with the ASEAN Way norms which prescribes among others an emphasis on informal and non-legalistic procedures.<sup>9</sup> However over the years, the sustained outcry from the public and civil society over worsening haze conditions

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<sup>3</sup> MAYER, J. 2006. Transboundary Perspectives on Managing Indonesia's Fires. *The Journal of Environment & Development*, 15, 202-233.

<sup>4</sup> ASEAN SECRETARIAT 1995. ASEAN Meeting on the Management of Transboundary Pollution. Kuala Lumpur.

<sup>5</sup> ASEAN SECRETARIAT 2004. 4: Transnational Issues. *ASEAN Annual Report*. ASEAN.

<sup>6</sup> ASEAN SECRETARIAT. 2002. *ASEAN Agreement on Transboundary Haze Pollution* [Online]. Haze Action Online. Available: [http://haze.asean.org/?page\\_id=185](http://haze.asean.org/?page_id=185) [Accessed 8 August 2014].

<sup>7</sup> ELLIOTT, L. 2003. ASEAN and environmental cooperation: norms, interests and identity. *The Pacific Review*, 16, 29-52`.

<sup>8</sup> JONES, D. M. & SMITH, M. L. R. 2002. ASEAN's Immitation Community. *Orbis*.

<sup>9</sup> KIVIMAKI, T. 2001. The long peace of ASEAN. *Journal of Peace Studies*, 38.

prompted member states to agree to try to find a collective solution for haze, and subsequently establish the ATHP.<sup>10</sup>

### **Haze in the Scholarly Literature**

The unique way in which the whole issue of the haze played out at the regional level has indeed inspired academicians to think about the Southeast Asian region in different and novel ways. Most clearly of course, it gave further credence to the idea of ASEAN as ‘one ecosystem’. Formerly usually only ever considered in terms of the shared water resource which is the Mekong, the idea of a regional environment became all the more stark when fires from one Southeast Asian country began to effect the airspace of up to six other Southeast Asian countries – both maritime and mainland.

New literature inspired by this transboundary problem considered a rethink of traditional understandings of natural resource use in ASEAN. Formerly as a valuable tool for development as mentioned above, the haze-producing fires which were largely a direct result of the unhindered exploitation of natural resources (in this case land) was now contextualized as possibly hindering development. The haze affects the health of countless Southeast Asians, making them unfit to go to work and be productive. It also hits at the heart of an extremely important and lucrative regional industry, tourism. Countries like Singapore and Malaysia, which lured tourists with the promise of clear blue skies and fresh tropical breezes were now suffering from cancelled flights and drastic drops in tourist numbers. Hence, the concept of sustainable development gained renewed traction among academicians and academically-inclined environmentalists, who argue that absolute development without considerations for environmental and human security may no longer be a viable way for the Southeast Asian region to develop<sup>11</sup>. Connected to this was the increased discussion on related forestry and conservation issues as well<sup>12</sup>.

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<sup>10</sup> VARKKEY, H. 2016. *The Haze Problem in Southeast Asia: Palm Oil and Patronage*, London, Routledge.

<sup>11</sup> EVERS, S., YULE, C. M., PADFIELD, R., O'REILLY, P. & VARKKEY, H. 2016. Keep wetlands wet: the myth of sustainable development of tropical peatlands – implications for policies and management. *Global Change Biology*, FAIRHURST, T. & MCLAUGHLIN, D. 2009. Sustainable oil palm development in degraded land in Kalimantan. Kent: World Wildlife Fund, HEZRI, A. A. 2015. Mainstreaming Environment and Sustainable Development Priorities. In: WEISS, M. (ed.) *Routledge Handbook of Contemporary Malaysia*. London: Routledge, SAVAGE, V. R. 2006. Ecology matters: sustainable development in Southeast Asia. *Sustainable Science*, 1, 37-63, TAN, K. T., LEE, K. T., MOHAMED, A. R. & BHATIA, S. 2009. Palm oil: Addressing issues and towards sustainable development. *Renewable and Sustainable Energy Reviews*, 13, 420-427.

<sup>12</sup> COOKE, F. M. 2006. Recent developments and conservation interventions in Borneo. In: COOKE, F. M. (ed.) *State, Communities and Forests in Contemporary Borneo*. Canberra: The Australian National University E Press.

The haze also was useful in positioning the Southeast Asian region within academic discussions about climate change. While climate change discussions gained traction worldwide, scholars of the region somewhat struggled to contextualize this international environmental dilemma locally. The haze however brought home the significance of the region's environment to the international climate<sup>13</sup>. Huge amounts of carbon is released from the region's peatlands during the haze-producing fires, to the extent that at one point Indonesia was listed as one of the top three carbon emitters in the world! Hence, the haze problem has been a useful frame for broader discussions about climate policy and governance in the region.

In relation to the above, most of the literature on haze can be broadly categorized into three themes or frames. The first is in relation to the ASEAN Way. This is an old trope of course, but it brings new challenges for analysis. The ASEAN Way is very much about sovereignty and non-interference, but issues of transboundary pollution clearly challenges these time-honoured regional norms<sup>14</sup>. Regional haze governance also brought about new academic considerations about legality in ASEAN. As mentioned above, the ATHP remains among the few legally binding ASEAN document. While bucking the norm of non-legality in ASEAN, on the other hand, this agreement has been said to be as a 'paper tiger'<sup>15</sup>. Such observations raises new avenues for comparison against ASEAN's more legalistic cousin, the EU, especially in relation to the EU's experience of acid rain<sup>16</sup>. Thirdly, the source of the haze-producing fires has led to a closer investigation of the political economy of the region. This frame lies somewhere between the hard issues of economy and the softer issues of livelihoods, culture and power relations. It asks hard questions about the region's oil palm industry which has been widely implicated in the haze. Palm oil is a unique case study of an integrated regional sector, with prevalent intra-

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<sup>13</sup> SYARIF, L. M. & WIBISANA, A. G. Strengthening legal and policy frameworks for addressing climate change in Asia: Indonesia. Asian Environmental Compliance and Enforcement Network, 2007 United States. United States Environment Programme, PARISH, F. & LOOI, C. C. 2011. Options and needs for enhanced linkage between the Ramsar Convention on Wetlands Convention on Biological Diversity and UN Framework Convention on Climate Change. *Wetlands, Biodiversity and Climate Change*. Kuala Lumpur: Global Environment Network.

<sup>14</sup> NISCHALKE, T. I. 2000. Insights from ASEAN's foreign policy co-operation: The "ASEAN way", a real spirit or phantom? *Contemporary Southeast Asia*, 22, 89, TAN, B. 2005b. The Norms that Weren't: ASEAN's Shortcomings in Dealing with Transboundary Air Pollution. *International Environmental Politics*, Spring 2005, ELLIOTT, L. 2003. ASEAN and environmental cooperation: norms, interests and identity. *The Pacific Review*, 16, 29-52.

<sup>15</sup> FLORANO, E. R. 2003. Assessment of the "Strengths" of the New ASEAN Agreement on Transboundary Haze Pollution. *International Review for Environmental Strategies*, 4, 127-147, TAN, A. K. 2005a. The ASEAN Agreement on Transboundary Haze Pollution: Prospects for Compliance and Effectiveness in Post-Suharto Indonesia. *N.Y.U. Environmental Law Journal*, 13, 647-722, KARIM, M. S. 2008. Future of the Haze Agreement: Is the Glass Half Empty or Half Full? *Environmental Policy and Law*, 38.

<sup>16</sup> VARKKEY, H. 2011. ASEAN as a 'thin' community: The case against adopting the EU Acid Rain Framework for Transboundary Haze management in Southeast Asia. *Jebat: Malaysian Journal of History, Politics and Strategic Studies* 38, 1-26.

regional links that asks hard questions about what is and who decides on national interests<sup>17</sup>. My own work is largely positioned within this frame, where I analyse the sector's implications with haze through the lens of patronage<sup>18</sup>.

### **Haze and ASEAN Unilateralism**

Even after several decades, the politics of regional governance over transboundary haze continues to be a fast-developing arena for academic analysis. Particularly interesting of late has been a somewhat drastic change of Singapore's patterns of engagement with Indonesia over the haze. During the early years of ASEAN haze cooperation, Singapore was largely in the same bandwagon as other ASEAN countries committed to finding a collective regional solution to the transboundary haze problem. However, a close observation of Singapore's more recent attitude and actions towards ASEAN transboundary haze cooperation reveals an emerging trend which raises interesting questions pertaining to unilateralism in ASEAN.

With the ASEAN Way prescribing consensus, sovereign rights, non-interference, sensitivity, politeness, non-confrontational negotiation processes and flexibility<sup>19</sup>, an ASEAN agreement was considered the 'path of least resistance' to secure Indonesia's cooperation and commitment in addressing haze issues. Indonesian commitment over the matter was pertinent as most of the haze-producing fires affecting the region originated from Indonesia. Unilateral or extra-regional confrontations were thought to be an ineffective and counterproductive way to engage with the 'big brother' of the region especially considering the related economic and national sensitivities. However, ATHP ratification from Indonesia was not immediately forthcoming.

After years of waiting for Indonesia to ratify the ATHP, Singapore made its first unilateral move related to haze by calling for international assistance to combat haze at the United Nations in 2008. This move was angrily described by Indonesia as "tantamount to interference in the domestic affairs of Indonesia".<sup>20</sup> This was followed by another unilateral move soon after

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<sup>17</sup> ASCHER, W. 1998. From oil to timber: The political economy of off-budget development financing in Indonesia. *Indonesia*, 65, 37-61, CAMPBELL, L. B. 2005. The political economy of environmental regionalism in Asia. In: PEMPEL, T. J. (ed.) *Remapping East Asia: The construction of a region*. Ithaca: Cornell University Press, CASSON, A. 2002. The political economy of Indonesia's oil palm sector. In: COLFER, C. J. & RESOSUDARMO, I. A. P. (eds.) *Which Way Forward? People, forests and policymaking in Indonesia*. Singapore: Institute of South East Asian Studies, DAUVERGNE, P. 1998. The political economy of Indonesia's 1997 forest fires. *Australian Journal of International Affairs*, 52, 13-17, LIM, L. Y. C. & STERN, A. 2003. State power and private profit: the political economy of corruption in Southeast Asia. *Asian-Pacific Economic Literature*, 16, 18-52, PLETCHER, J. 1991. Regulation with growth: The political economy of palm oil in Malaysia. *World Development*, 19, 623-636.

<sup>18</sup> VARKKEY, H. 2016. *The Haze Problem in Southeast Asia: Palm Oil and Patronage*, London, Routledge.

<sup>19</sup> KIVIMAKI, T. 2001. The long peace of ASEAN. *Journal of Peace Studies*, 38.

<sup>20</sup> KOH, K. L. 2008. A breakthrough in solving the Indonesian haze? In: HART, S. (ed.) *Shared Resources: Issues of Governance*. Gland, Switzerland: International Union for the Conservation of Nature and Natural Resources.

Singapore experienced its worst-ever bout of haze in 2013, where the Pollutant Standards Index (PSI) reached a record high of 401. Singapore had offered ASEAN an open-access platform for sharing digitalized land-use and concession maps, which could serve as a deterrent for errant companies. However, Indonesia blocked this citing privacy and legal concerns.<sup>21</sup> Singapore's Minister for the Environment at the time, Dr Vivian Balakrishnan openly expressed that he was "disappointed but not surprised"<sup>22</sup> and accused Indonesia of not caring about the welfare of its neighbours.<sup>23</sup> Such vocalized dissatisfaction runs contrary to the ASEAN Way norms of politeness, sensitivity, and non-confrontation in negotiation processes.

Mere months later, the Singaporean parliament passed a Transboundary Haze Pollution Act (THPA) which criminalizes any conduct that causes or contributes to haze pollution in Singapore.<sup>24</sup> The THPA was a significant departure from the traditional ASEAN approach to resolving regional issues through diplomatic rather than legal means.<sup>25</sup> When Singapore obtained a court warrant in 2016 against the director of an Indonesian company linked to haze-causing fires<sup>26</sup>, Indonesia's Environment and Forestry Minister, Siti Nurbaya Bakar described Singapore's actions as 'controversial' and did not show 'mutual respect' in accordance with the ASEAN Way.<sup>27</sup>

This emerging trend of unilateralism on Singapore's part raises several pertinent questions for scholars of Southeast Asian Studies and ASEAN to explore. For example, what do such acts of unilateralism mean for larger ASEAN regional governance processes and norms? At the national level, do these acts reflect any fundamental change in Singapore's confidence in ASEAN, its dependence on the ASEAN Way's norms and national interests? Would such actions encourage other ASEAN member states, for instance Malaysia, to follow suit? What does this mean for Singapore-Indonesia relations? Attempts to answer such questions by scholars interested in the region will certainly contribute to the richness of the literature of Southeast Asian studies.

### **Teaching Environmental Politics in Southeast Asia**

While the scholarly literature on transboundary haze and other environmental issues in the Southeast Asian region is not large, it is growing, as evident from the above discussion. However, this unfortunately has not really been translated to a larger exposure of regional

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<sup>21</sup> FENG, Z. 2014. Indonesia unlikely to share maps for haze monitoring soon. *AsiaOne*, 4 April.

<sup>22</sup> WOO, S. B. 2013. Haze meeting: Govts agree to share concession maps. *Today*, 18 July 2013.

<sup>23</sup> GRANT, J. & BLAND, B. 2014. Singapore widens battle against toxic haze from forest fires. *Financial Times*, 19 February.

<sup>24</sup> TAN, A. K. J. 2015. The 'haze' crisis in Southeast Asia: Assessing Singapore's Transboundary Haze Pollution Act. *Faculty of Law Working Paper Series*. Singapore: National University of Singapore.

<sup>25</sup> MAYER, J. 2006. Transboundary Perspectives on Managing Indonesia's Fires. *The Journal of Environment & Development*, 15, 202-233.

<sup>26</sup> ISMAIL, S. 2016. Protest conveyed to Singapore Environment Minister: Indonesia. *Channel NewsAsia*, 16 May.

<sup>27</sup> Ibid.

environmental politics to students in undergraduate programmes related to Southeast Asian and ASEAN studies in universities in the region. Course syllabi largely still remain within the remit of traditionally ‘hard’ issues of concern to the region. From personal experience, most students would have generally not been exposed to the political complexities of regional environmental governance before they attend my class.

While this creates a unique teaching niche for scholars who also teach environmental politics, this also reveals a gap in the teaching syllabi, wherein the teaching of Southeast Asian studies is not keeping up with the literature on Southeast Asian studies. It is pertinent to note that with the recent heightened interest in climate change politics worldwide, the environment is a very ‘trendy’ topic that captures the imagination of many young people within the region. Environmental activism, especially among the youth, is on the rise<sup>28</sup>. Hence, the ‘greening’ of Southeast Asian studies may be a strategic way to attract more youth to study this dynamic part of the world.

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<sup>28</sup> See, for example, Youth Force 2030 (<http://2030youthforce.org/>)

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